

REMARKS

Claims 1-3, 5-9, 11-13, 16-18, and 21-27 are all the claims presently pending in the application. By this amendment, claims 1, 3, 8-9, 13, 16-18, and 21-22 are amended, and claim 14 is canceled. The amendments introduce no new matter.

It is noted that the claim amendments are made only to assure grammatical and idiomatic English and improved form under United States practice, and are not made to distinguish the invention over the prior art or narrow the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicants appreciate the Examiner's indication that claims 1-3, 5-9, 13, 16-18, and 21-27 would be allowable if rewritten in independent form. However, for at least the reasons discussed below, Applicants maintain that all claims herein are patentable.

Applicants appreciate the courtesies extended to Applicants' representative Donald DiPaula in the telephone interviews of March 6 and 24-25, 2009. The substance of those interviews is incorporated into the following remarks.

Claims 1-3, 5-8, 14, 18, and 21-27 stand rejected under 35 U.S.C. §112, second paragraph. The claims are amended in accord with the Examiner's suggestions. Applicants respectfully submit that appropriate claims are clearly written as dependent claims. The Examiner is respectfully requested to reconsider and withdraw the rejections under §112.

Claims 13-14, 16-18, and 21-22 stand rejected under 35 U.S.C. §101. The claims are amended in accord with the Examiner's suggestions. Applicants respectfully request the Examiner to reconsider and withdraw the rejections under §101.

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Claim 14 stands rejected under 35 U.S.C. §103(a) over Borders, et al. (US Patent Application Publication No. 2001/0047285), in view of Official Notice. Claim 14 is canceled by this Amendment; thus, the rejection of claim 14 is moot.

These rejections are respectfully traversed in the following discussion.

The Telephone Interviews

Applicants' representative Donald DiPaula conducted telephone interviews with Examiner Diaz on March 6 and 24-25, 2009, regarding the present Application. Agreement was reached during those interviews on all claims recited herein. The present amendment incorporates the substance of those interviews as agreed and as recited in the proposed Examiner's Amendment received from the Examiner on March 24, 2009, for review.

Applicants are therefore aware of no outstanding objections or rejections of any claims herein currently undergoing examination. Applicants therefore respectfully request the Examiner to promptly allow all claims herein.

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CONCLUSION


In view of the foregoing, Applicant submits that claims 1-3, 5-9, 11-13, 16-18, and 21-27, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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Donald A. DiPaula, Esq.
Registration No. 58,115

Sean M. McGinn, Esq.
Registration No. 34,386

McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254